

IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF TENNESSEE
NASHVILLE DIVISION

UNITED STATES OF AMERICA

vs.

HASSAN AHMED DAHIR (7)

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§
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3:10-CR-00260(7)
JUDGE HAYNES

DEFENDANT HASSAN AHMED DAHIR'S MOTION IN LIMINE NO. 2 TO EXCLUDE
GOVERNMENT'S USE OF DEFENDANT DAHIR'S A-FILE

Defendant, Hassan Ahmed Dahir (7), by and through the undersigned counsel, moves this Honorable Court *in limine* in accordance with the Federal Rules of Evidence 401 and 402 to exclude form evidence Defendant Dahir's "A-File" in the upcoming trial of this matter. Defendant Dahir further moves the Court to issue an Order prohibiting the Government from referring to Defendant Dahir's immigration status, that he is a Somali refugee, prior criminal convictions and/or arrests, or any other matters referenced in his A-File.

The Government's revised witness list names Ryan Hubbard, and identifies him as an ICE Custodian of Records. (Docket Entry no. 1864, Witness no. 4). The purpose of his testimony is described as regarding Defendant Dahir's A-File, and the A-Files other persons. Also names in the revised witness list is ICE Agent Jason White. (Docket Entry no. 1864, Witness no. 40).

The A-File is a compilation of court records, immigration documents, correspondences pertaining to immigration, Department of Homeland Security documents, and records of a criminal history. The very first page of Defendant Dahir's A-File has stamped on it "Agg. Felon." Throughout the A-File are other documents and correspondences evidencing that Defendant Dahir has been convicted of multiple felonies.

ONP 211

*This motion
is DENIED
subject to the
conditions
stated in
open court.*

*will file
1870
3-22-12*